

Senate Bill 165

By: Senators Goggans of the 7th, Williams of the 19th, Hill of the 4th, Hawkins of the 49th and Hill of the 32nd

**AS PASSED**

**AN ACT**

To amend Title 49 of the Official Code of Georgia Annotated, relating to social services, so as to authorize the Department of Community Health to obtain income eligibility verification from the Department of Revenue for applicants for Medicaid and the PeachCare for Kids Program; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended in Code Section 49-4-146.1, relating to unlawful acts, violations and penalties, recovery of excess amounts, termination and reinstatement of providers, and the duty of the department to identify and investigate violations and notify proper authorities under the Medicaid program, by adding a new subsection to read as follows:

"(j) As necessary to enforce the provisions of this article, the department or its duly authorized agents may submit to the state revenue commissioner the names of applicants for medical assistance or other benefits or payments provided under this article, as well as the relevant income threshold specified therein. If the department elects to contract with the state revenue commissioner for such purposes, the state revenue commissioner and his or her agents or employees shall notify the department whether or not each submitted applicant's income exceeds the relevant income threshold provided. The department shall pay the state revenue commissioner for all costs incurred by the Department of Revenue pursuant to this subsection. No information shall be provided by the Department of Revenue to the department without an executed cooperative agreement between the two departments. Any tax information secured from the federal government by the Department of Revenue pursuant to express provisions of Section 6103 of the Internal Revenue Code may not be disclosed by the Department of Revenue pursuant to this subsection. Any person receiving any tax information under the authority of this subsection is subject to the

provisions of Code Section 48-7-60 and to all penalties provided under Code Section 48-7-61 for unlawful divulging of confidential tax information."

## **SECTION 2.**

Said title is further amended in Code Section 49-5-273, relating to the creation of the PeachCare for Kids Program, by adding a new subsection to read as follows:

"(o) As necessary to enforce the provisions of this article, the department or its duly authorized agents may submit to the state revenue commissioner the names of applicants for health care benefits or payments provided under this article, as well as the relevant income threshold specified therein. If the department elects to contract with the state revenue commissioner for such purposes, the state revenue commissioner and his or her agents or employees shall notify the department whether or not each submitted applicant's income exceeds the relevant income threshold provided. The department shall pay the state revenue commissioner for all costs incurred by the Department of Revenue pursuant to this subsection. No information shall be provided by the Department of Revenue to the department without an executed cooperative agreement between the two departments. Any tax information secured from the federal government by the Department of Revenue pursuant to express provisions of Section 6103 of the Internal Revenue Code may not be disclosed by the Department of Revenue pursuant to this subsection. Any person receiving any tax information under the authority of this subsection is subject to the provisions of Code Section 48-7-60 and to all penalties provided under Code Section 48-7-61 for unlawful divulging of confidential tax information."

## **SECTION 3.**

This Act shall become effective on January 1, 2010.

## **SECTION 4.**

All laws and parts of laws in conflict with this Act are repealed.